

MINUTES

COUNCIL MEETING
KEY BISCAWAYNE, FLORIDA

TUESDAY, AUGUST 28, 2018

COUNCIL CHAMBER
560 CRANDON BOULEVARD

1. **CALL TO ORDER/ROLL CALL OF MEMBERS:** The meeting was called to order by the Mayor at 7:00 p.m. Present were Councilmembers Luis de la Cruz, Gary R. Gross, Allison McCormick, Brett G. Moss, Kathleen Petros, Vice Mayor Franklin H. Caplan and Mayor Mayra P. Lindsay. Also present were Village Manager Andrea Agha, Village Clerk Jennifer Medina and Village Attorney Chad Friedman.
2. **PLEDGE OF ALLEGIANCE:** The Mayor led the Pledge of Allegiance.
3. **BRIEF COMMENTS BY COUNCIL:** Mayor Lindsay addressed the public and the Council welcoming the new Village Manager Andrea Agha.
4. **AGENDA:** Councilmember de la Cruz requested to remove Item 10A2 and the Mayor requested the addition of a discussion regarding iguana pest control as Item 10A6. There were no objections to the agenda changes.
5. **PUBLIC COMMENTS:** The following residents addressed the Council: Luisa Umana, 155 Ocean Lane Drive; Clifford Brody, 613 Ocean Drive; Michael Kelly, 395 Gulf Road; Ana Brennan, 465 Harbor Drive; Sally Brody, 613 Ocean Drive; Tony Winton, 121 Crandon Boulevard; Julie Dick, 151 Crandon Boulevard; Rachel Silverstein, 2103 Coral Way; Zully Agostini, 1121 Crandon Boulevard; Diana Edery, 1121 Crandon Boulevard; Karina Acquarone, 141 Crandon Boulevard; Elizabeth Ann Taintor, 170 Ocean Lane Drive and Cecile Sanchez, 260 Cypress Drive.
6. **SPECIAL PRESENTATIONS:** The Mayor, on behalf of the Council, presented proclamations to Manuel Rionda, Mia Davey, Andrew Otazo and Art Yerian recognizing their

efforts and dedication to improve beaches and designating August 28th, 2018 as Beach Ambassador Day.

At this time, the Mayor introduced and welcomed MAST Academy Principal Dr. Derick McKoy. Dr. McKoy thanked the Council for the introduction.

Vice Mayor Caplan addressed the Council and Dr. McKoy regarding the Village's continued efforts and participation to improve MAST Academy.

At this time, Mr. Chris Tathem from ETC, Institute addressed the Council regarding the results of the 2018 Community Survey.

There was extensive discussion by Council regarding the 2018 Community Survey.

At this time, Mayor Lindsay addressed the Council regarding hearing Item 9A prior to Item 6D. There were no objections to the agenda change.

At this time, Item 9A was heard.

7. **RESOLUTIONS:** The Clerk read the following resolution by title:

A RESOLUTION OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE SCHOOL BOARD OF MIAMI-DADE COUNTY FOR SCHOOL-BASED LAW ENFORCEMENT OFFICERS; PROVIDING FOR AUTHORIZATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Caplan made a motion to approve the resolution. The motion was seconded by Councilmember Petros.

Iraida R. Mendez-Cartaya, Miami-Dade County Public Schools Associate Superintendent Office of Intergovernmental Affairs, Grants Administration and Community Engagement, addressed the Council regarding the Memorandum of Understanding with the School Board of Miami-Dade County for school-based law enforcement officers.

Mayor Lindsay addressed the Council regarding the unfortunate need to have armed law enforcement officers at schools.

The resolution was approved by a 7-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

At this time, Councilmember Moss made a motion to extend the time certain to hear Items 8A1, 8B1, 8B2 and Item 9A from 7:30 p.m. to 8:00 p.m. The motion was seconded by Vice Mayor Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers

de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

At this time Item 6D was heard.

Mr. Tom Weber addressed the Council regarding proposed size, space and area for a new Key Biscayne library.

There were extensive discussions by Council regarding the proposed library spaces.

At this time, Councilmember Moss made a motion to extend the time certain to hear Items 8A1, 8B1, 8B2 and Item 9A from 8:00 p.m. to 8:20 p.m. The motion was seconded by Vice Mayor Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

Mr. Jud Kurlancheek presented a proposed conceptual design for a new Key Biscayne library on 530 Crandon Boulevard.

At this time, Items 8A1, 8B1 and 8B2 was heard.

8. **ORDINANCES:** The Clerk read the following ordinance on first reading, by title:

AN ORDINANCE OF THE VILLAGE COUNCIL OF THE VILLAGE OF KEY BISCAYNE, FLORIDA (“VILLAGE”), AMENDING THE VILLAGE CODE BY AMENDING CHAPTER 23 “RETIREMENT,” SECTION 23-35 “CONTRIBUTIONS,” TO PROVIDE THAT THE PLAN WILL CONTINUE TO MEET STATUTORY MINIMUM BENEFITS AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor Lindsay made a motion to adopt the ordinance on first reading. The motion was seconded by Vice Mayor Caplan.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

The ordinance was adopted on first reading by a 7-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

The Clerk announced the second reading will be on October 9, 2018.

The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 7, "BUSINESS REGULATIONS" OF THE VILLAGE CODE OF ORDINANCES TO INCLUDE SECTION 7-4, "PROHIBITION ON DISTRIBUTION, SALE, OR USE OF PLASTIC STRAWS"; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Councilmember Moss made a motion to adopt the ordinance on second reading. The motion was seconded by Mayor Lindsay.

The Mayor opened the public hearing. There were no speakers present. The Mayor closed the public hearing.

Councilmember Moss made a motion to amend the ordinance by replacing "businesses" with "commercial establishments"; remove the words "used" or "be used"; and lastly, replace "individuals" to "violators". The motion was seconded by Vice Mayor Caplan and approved by a 7-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

There was extensive discussion regarding this ordinance.

Councilmember Petros addressed the Council regarding the enforcement of the prohibition on distribution, sale or use of plastic straws.

The Manager addressed the Council regarding the enforcement challenges of the prohibition on distribution, sale or use of plastic straws.

The Attorney also addressed the Council regarding this ordinance.

The ordinance, as amended, was adopted on second reading by a 7-0 roll call vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

The Clerk read the following ordinance on second reading, by title:

AN ORDINANCE OF THE VILLAGE OF KEY BISCAYNE, FLORIDA, AMENDING CHAPTER 2, ARTICLE XV "YOUTH ATHLETICS ADVISORY BOARD," TO REDEFINE THE JURISDICTION OF THE ADVISORY BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Vice Mayor Caplan made a motion to adopt the ordinance on second reading. The motion was seconded by Mayor Lindsay.

Vice Mayor Caplan made a motion to continue the second reading of this ordinance to the October 9, 2018 Regular Council Meeting. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

The Clerk announced the ordinance will be continued on second reading to the October 9, 2018 Regular Council Meeting.

At this time, Items 7A, 7B, 7C, 7D and 7E (Consent Agenda) was heard.

9. **CONSENT AGENDA:** Vice Mayor Caplan made a motion to approve the following consent agenda. The motion was seconded by Councilmember Moss and approved by a 7-0 voice vote. The vote was as follows: Councilmembers de la Cruz, Gross, McCormick, Moss, Petros, Vice Mayor Caplan and Mayor Lindsay voting Yes.

The minutes to the October 10, 2017 Second Budget Hearing.

The minutes to the January 9, 2018 Regular Council Meeting.

The minutes to the January 22, 2018 Special Council Meeting.

The minutes to the January 23, 2018 Regular Council Meeting.

The minutes to the April 10, 2018 Regular Council Meeting.

At this time, Reports and Recommendations were heard.

10. **REPORTS AND RECOMMENDATIONS:** The following items were discussed:

Mayor and Councilmembers. Councilmember de la Cruz addressed the Council regarding transportation to and from MAST Academy.

Councilmember McCormick also addressed the Council regarding the existing transportation options to and from MAST Academy.

There was extensive discussion by Council regarding the transportation options for students to and from MAST Academy.

It was the consensus of Council to attempt to add a discussion item regarding Key Biscayne transportation issues to and from MAST Academy to the upcoming committee meeting for the Miami-Dade County School Board Advisory Committee to Master Plan Amendment Board.

Mayor Lindsay addressed the Council regarding the lobbyist registration procedures and best practices.

There was extensive discussion by Council regarding the lobbyist registration procedures and best practices.

The Attorney addressed the Council regarding the lobbyist registration procedures and best practices.

It was the consensus of Council to direct the Village Clerk to coordinate Robert Rules of Order training for the entire Council after the November 6th General Election.

Councilmember Petros addressed the Council regarding the entry block.

There was extensive discussion by Council regarding the entry block.

It was the consensus of Council to schedule a Special Council Meeting on September 25, 2018 at 5:00 p.m. to discuss the entry block.

Councilmember Moss addressed the Council regarding the Key Biscayne 2040 Vision Plan.

It was the consensus of Council to bring forth the necessary legislation to establish a 2040 Vision Plan committee at the October 9, 2018 Regular Council Meeting.

The Manager addressed the Council regarding prior experience with future municipal Vision Plans.

It was the consensus of Council to direct the Manager to review and provide a status update for the current Evaluation and Appraisal Report (EAR) and the 2020 Vision Plan at the June 2019 Budget Workshop.

Mayor Lindsay addressed the Council regarding iguana pest control.

There was extensive discussion by Council regarding iguana pest control.

At this time, the Manager's report was heard.

The Manager reported to the Council regarding a meeting that took place with Miami-Dade County Parks regarding the use of the fields at the Crandon Park Tennis Center.

There was extensive discussion by Council regarding the use of the fields at the Crandon Park Tennis Center.

Village Attorney. The Attorney did not submit a report.

Village Clerk. The Clerk reported that the following residents have qualified as candidates for the Office of the Mayor: Luis de la Cruz and Michael W. Davey.

The Clerk also reported that the following residents have qualified as candidates for the Office of Councilmember: Jeffrey Gonzalez, Luis Lauredo, Edward London, Ignacio Segurola and Tony Winton.

11. **OTHER BUSINESS/GENERAL DISCUSSION:** There was no further business discussed.

12. **PENDING BUSINESS/PENDING LITIGATION:** A list of pending business/pending litigation was presented to the Council.

13. **SCHEDULE OF FUTURE MEETINGS/EVENTS:** A schedule of future meetings and events was presented to the Council.

14. **ADJOURNMENT:** The meeting was adjourned at 9:44 p.m.

Respectfully submitted:

Jennifer Medina
Village Clerk

Approved this ____ day of _____ 2018:

Mayra P. Lindsay
Mayor

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE VILLAGE COUNCIL WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.